

UNITED STATES DISTRICT COURT

for

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

May 11, 2023

SEAN F. MCAVOY, CLERK

U.S.A. vs. Batke, Brandon Christopher Docket No. 0980 2:22CR00094-TOR-1

Petition for Action on Conditions of Pretrial Release

COMES NOW Erik Carlson, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Brandon Christopher Batke, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge James A. Goeke, sitting in the Court at Spokane, Washington, on the 1st day of September 2022, under the following conditions:

Standard Condition #10: Defendant shall refrain from the use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner in conformance with Federal law. Defendant may not use or possess marijuana, regardless of whether Defendant has been authorized medical marijuana under state law.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On October 6, 2022, the undersigned officer reviewed the conditions of pretrial release supervision with Mr. Batke. Mr. Batke acknowledged an understanding of the release conditions at that time.

Violation #3: Brandon Christopher Batke is alleged to have violated the conditions of pretrial release supervision by testing positive for the presence of fentanyl between April 21 and 24, 2023.

On April 21, 2023, the undersigned officer applied a sweat patch to Mr. Batke's left arm for the purpose of drug testing.

On April 24, 2023, the undersigned officer removed the sweat patch from Mr. Batke's left arm. The patch was packaged and sent to Pharmchem, Inc. (Pharmchem) for analysis.

On May 6, 2023, Pharmchem confirmed the above-noted sweat patch tested positive for the presence of fentanyl.

On May 8, 2023, the undersigned officer confronted Mr. Batke about testing positive for the presence of fentanyl. Mr. Batke adamantly denied intentionally ingesting fentanyl. However, Mr. Batke stated he had been spending time with females who are "addicts" recently, but continued to deny using fentanyl.

Mr. Batke stated his last use of fentanyl was approximately 3 weeks after he successfully completed inpatient substance abuse treatment in October 2022. He denied any other fentanyl use since October 2022.

Violation #4: Brandon Christopher Batke is alleged to have violated the conditions of pretrial release supervision by admitting to ingesting fentanyl in October 2022 on May 8, 2023.

On May 8, 2023, the undersigned officer contacted Mr. Batke to address a positive drug test that is noted in violation number one of this petition. During that conversation, Mr. Batke advised his last use of fentanyl was approximately 3 weeks after completing inpatient substance abuse treatment in October 2022. He denied any other use of fentanyl since October 2022.

Re: Batke, Brandon Christopher

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On May 9, 2023, Mr. Batke reported to the U.S. Probation Office and met with a U.S. Probation Officer Melissa Hanson. Mr. Batke signed a substance abuse admission form acknowledging he ingested fentanyl approximately 3 weeks after completing inpatient substance abuse treatment in October 2022. Prior to May 8, 2023, Mr. Batke had denied any use of fentanyl while on pretrial release supervision.

PRAYING THAT THE COURT WILL INCORPORATE THE ABOVE VIOLATION WITH VIOLATIONS
PREVIOUSLY REPORTED TO THE COURT

I declare under the penalty of perjury
that the foregoing is true and correct.

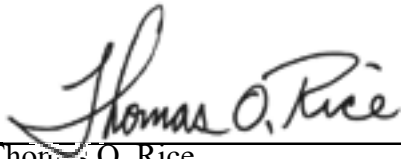
Executed on: May 11, 2023

by s/Erik Carlson

Erik Carlson
U.S. Pretrial Services Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this
petition with the other violations pending before the
Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Thomas O. Rice
United States District Judge

May 11, 2023

Date